

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

SARAH CHINA MORGAN,	:	Case No. 1:17-CV-107
Plaintiff,	:	
	:	Judge Timothy S. Black
vs.	:	
	:	Magistrate Judge Stephanie K.
COMMISSIONER OF SOCIAL	:	Bowman
SECURITY,	:	
Defendant.	:	

**DECISION AND ENTRY
ADOPTING THE REPORT AND RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE (Doc. 17),
OVERRULING PLAINTIFF’S OBJECTIONS (Doc. 18),
AND TERMINATING THIS CASE IN THIS COURT**

This case is before the Court pursuant to the Order of General Reference to United States Magistrate Judge Stephanie K. Bowman. Pursuant to such reference, the Magistrate Judge reviewed the pleadings filed with this Court, and, on February 14, 2018, submitted a Report and Recommendation. (Doc. 17). Plaintiff timely filed objections (“Objections,” Doc. 18).¹ Defendant filed a response to the Objections. (Doc. 19).


¹ Plaintiff’s Objections are not well-taken. First, the Objections argue that Administrative Law Judge (“ALJ”) King improperly considered “faulty” expert testimony that was previously rejected by the Appeals Council. (Doc. 18 at 1). This argument is not availing. The Magistrate Judge properly concluded that, in evaluating Dr. Buban’s testimony, ALJ King did not repeat the errors of ALJ Sheard that formed the basis of the Appeals Council’s prior order to remand this case. (Doc. 17 at 16-19). Second, the Objections argue that the Report and Recommendation improperly denies Plaintiff Supplemental Security Income (“SSI”) (Doc. 18 at 1-2), but the Magistrate Judge correctly found that Plaintiff did not appeal the denial of an SSI application in 2011, and the issue of SSI benefits was not before the ALJ. (Doc. 17 at 9-13).

As required by 28 U.S.C. § 636(b) and Fed. R. Civ. P. 72(b), the Court has reviewed the comprehensive findings of the Magistrate Judge and considered *de novo* all of the filings in this matter. Upon consideration of the foregoing, the Court does determine that such Report and Recommendation should be and is hereby adopted in its entirety. Accordingly:

1. The Report and Recommendation (Doc 17) is **ADOPTED**;
2. Plaintiff's Objections (Doc. 18) are **OVERRULED**;
3. The Commissioner's decision is **AFFIRMED**; and
4. The Clerk shall enter judgment accordingly, whereupon this case is **TERMINATED** on the docket of this Court.

IT IS SO ORDERED.

Date: 3/29/18



Timothy S. Black
United States District Judge